

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

**MICHELLE GEIGEL, as administrator
of the estate of CRISTHIAN GEIGEL,
Plaintiff,
v.
BOSTON POLICE DEPARTMENT,
ISMAEL ALMEIDA, and
JOHN/JANE DOES NOS. 1–2
Defendant.**

CIVIL ACTION NO. 1:22-CV-11437

**ATTORNEY JOHN BENZAN'S AFFIDAVIT IN SUPPORT OF PLAINTIFF'S MOTION TO
ENLARGE TIME TO RESPOND TO ORDER TO SHOW CAUSE AND TO FILE RESPONSE
TO DEFENDANT'S MOTION TO DISMISS**

I, John Benzan, do state and aver the following under the pains and penalty of perjury:

1. I am counsel of record for the plaintiff;
2. I underwent full hip replacement surgery on February 23, 2023 by Dr. James Nairus at New England Baptist Hospital;
3. It was the second major surgery in 24 months for me and my recovery and my return to work was longer than expected. I had cancer related surgery in February, 2021.
4. I am asking the Court to find my neglect to file a Response to the Defendant's Motion to Dismiss as excusable due to my medical condition.
5. I am a sole practitioner and do not have another lawyer to cover my practice when I am out due to illness or a medical reason.

June 1, 2023

Respectfully submitted,

/s/ John Benzan
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